

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

MICHAEL SCOTT,	:	
	:	
Plaintiff	:	CIVIL ACTION NO. 3:11-1790
	:	
v.	:	(JUDGE MANNION)
	:	
GEICO GENERAL INSURANCE COMPANY,	:	
	:	
Defendant	:	
	:	

ORDER

For the reasons set forth in the Memorandum of this date, **IT IS HEREBY ORDERED THAT**, the defendant's motion for summary judgment, (Doc. No. [23](#)), is **GRANTED IN PART AND DENIED IN PART**, as follows:

- (1) The motion is **GRANTED** to the extent that:
 - (a) The plaintiff may not recover punitive damages or attorney's fees and costs under Count I (Breach of Contract), and;
 - (b) The plaintiff's claim for breach of fiduciary duty is denied as a matter of law;
- (2) In all other respects, the motion is **DENIED**.
- (3) The Final Pretrial Conference will be held on **Wednesday, October 2, 2013 at 2:30 P.M.** in courtroom #3 of the William J. Nealon Federal Building, 235 North Washington Avenue, Scranton, PA.
- (4) The jury selection and trial will begin on **Monday, November 4,**

2013 at 9:30 A.M. at the same location noted above.

s/ *Malachy E. Mannion*
MALACHY E. MANNION
United States District Judge

Dated: June 19, 2013

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